

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

AUG 16 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA

§

BY
DEPUTY _____

v.

§

NO. 6:17CR 61

THOMAS SHERROD

§

Judge RC/JDL

§

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 21 U.S.C. § 841(a)(1)
(Possession with intent to distribute
methamphetamine)

On or about March 22, 2017, in Van Zandt County, Texas, in the Eastern District of Texas, **Thomas Sherrod**, defendant, did knowingly and intentionally possess, with intent to distribute, a Schedule II controlled substance, namely a distributable quantity of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

Count Two

Violation: 18 U.S.C. § 924(c)(1)(A)
(Possession of a firearm during drug
trafficking)

On or about March 22, 2017, in Van Zandt County, Texas, in the Eastern District of Texas, **Thomas Sherrod**, defendant, did knowingly use, carry, and possess, a firearm, namely, a Glock, model 27, .40 caliber pistol, s/n BYW764, during, in relation to, and in furtherance of, a drug trafficking crime for which said defendant may be prosecuted in a court of the United States, to wit: Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), as alleged in Count One.

In violation of 18 U.S.C. § 924(c)(1)(A).

Count Three

Violation: 18 U.S.C. § 922(g)(1)
(Felon in Possession of a Firearm)

On or about March 22, 2017, in Van Zandt County, Texas, in the Eastern District of Texas, **Thomas Sherrod**, defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Unlawful Possession of a Firearm by a Felon, a felony, in Cause Number F-1324770-J, in the #3 Judicial District Court in and for Dallas County, Texas, on April 4, 2014; Possession of a Controlled Substance in Penalty Group One, in a quantity greater or equal to 1 gram, but less than four grams, a felony, in Cause Number 2-10-20, in the 382nd Judicial District Court in and for Rockwall County, Texas, on April 8, 2010; and, Possession of a Controlled Substance, namely Methamphetamine, in the amount of less than one gram, a felony, in Cause Number 21,388, in the 354th Judicial District Court in and for Hunt County, Texas, on April 7, 2003; did knowingly and unlawfully possess, in and affecting commerce, a firearm, to wit: a Glock, model 27, .40 caliber pistol, s/n BYW764, a Marlin model Glenfield 60, .22 caliber rifle, s/n 18390026, a Loewe (Germany), model 1893, 7mm caliber rifle, s/n 9J9703, a Ruger, model 10/22, .22 caliber rifle, s/n 822-99657, a Rohm (Germany), model Liberty 38T, .38 caliber revolver, s/n 189305, a Mosin Nagant, 7.62x53 caliber rifle, s/n PK4669, and a New England Firearms, Handi-Rifle SB2, .223 caliber rifle, s/n NN403324.

In violation of 18 U.S.C. § 922(g)(1) and 924(a)(2).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and 21 U.S.C. § 853

As a result of committing the offenses alleged in this indictment, the defendant shall forfeit to the United States of America pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and 21 U.S.C. § 853:

1. Any property constituting, or derived from, and proceeds the defendant obtained, directly or indirectly, as the result of such violation(s);
2. Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violations, including but not limited to the following:

Money Judgment:

\$1,000 in United States currency and all interest and proceeds traceable thereto, in that such sum is property constituting, or derived from, proceeds obtained by the defendant, as the result of the foregoing offenses alleged in this indictment.

Firearms:

- a. Glock, model 27, .40 caliber pistol, s/n BYW764
- b. Fifty-nine (59) rounds of Winchester-Western .40 caliber ammunition
- c. Marlin model Glenfield 60, .22 caliber rifle, s/n 18390026
- d. Loewe (Germany), model 1893, 7mm caliber rifle, s/n 9J9703
- e. Ruger, model 10/22, .22 caliber rifle, s/n 822-99657
- f. Rohm (Germany), model Liberty 38T, .38 caliber revolver, s/n 189305
- g. Twenty-eight (28) rounds of Federal .22 caliber ammunition
- h. Mosin Nagant, 7.62x53 caliber rifle, s/n PK4669
- i. New England Firearms, Handi-Rifle SB2, .223 caliber rifle, s/n NN403324

Substitute Assets:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property, including but not limited to all property, both real and personal, owned by the defendant.

By virtue of the commission of the felony offenses charged in this indictment, any and all interest the defendant has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and 21 U.S.C. § 853.

A TRUE BILL



GRAND JURY FOREPERSON

BRIT FEATHERSTON
ACTING UNITED STATES ATTORNEY

for 
JIM NOBLE
Assistant United States Attorney

8-16-2017
Date

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FOR THE EASTERN DISTRICT OF TEXAS
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§ NO. 6:17-CR-_____

§

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NOTICE OF PENALTY

Count One

Violation: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) (Possession with Intent to Distribute Methamphetamine)

Penalty: A fine of not more than \$1,000,000.00, imprisonment for a term not more than 20 years, or both; and a period of supervised release of at least three (3) years.

Special Assessment: \$100.00

Count Two

Violation: 18 U.S.C. § 924(c)(1) (Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

Penalty: Imprisonment for not less than five (5) years, and up to life, which must be served consecutively to the underlying offense, plus a fine of up to \$250,000.00, or both; a term of supervised release of not more than five (5) years.

Special Assessment: \$100.00

Count Three

Violation: 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm)

Penalty: A fine of not more than \$250,000.00; imprisonment for not more than ten (10) years; a term of supervised release of not more than three (3) years. 18 U.S.C. § 924(a)(2).

If the defendant has three prior convictions for a violent felony or serious drug offense, or both, committed on occasions different from one another, he or she shall be imprisoned for not less than fifteen years, and, the court shall not suspend the sentence of, or grant a probationary sentence to said defendant. 18 U.S.C. § 924(e)(1).

Special Assessment: \$100.00